6/21/71

Mr. Raymond F. Boulanger
Assistant to the General Counsel
Department of the Army
Washington, D.C. 20310

Dear Mr. Boulanger,

Your letter dated June 22 reached me yesterday. In every respect it is inaccurate, evasive or both and after seven months you have still not provided the regulations I asked for. This, not knowing the channels of appeal, I ask that you have this letter to you handled and processed as my appeal.

The error begins with the date of my first inquiry, of which you asked and I provided a copy. That was five weeks earlier than the date you give. A half year elapsed before this inadequate response. Yet the regulations you did send me, AR345-20, require that "all requests for information will be acted upon fairly, completely and expeditiously. Delay will not be permitted..."

If one were familiar with that which has appeared in the press only, one would know that to say "A check of the Defense Central Index of Investigations was made with the identifying data you supplied me in your letter of April 15,1971" is to say too little, for that is not the only possible source of information about me that I asked for. It should not have been restricted to "the data you supplied me in your letter of April 15, 1971", for I supplied more than this. Nor is it enough to say "that the Army does not maintain a file or dossier on you at the United States Army Investigative Records Repository", which is not the only place.

Perhaps it will help your quest if I tell you that one of the places such intrusions was obvious is in Pittsburgh.

It is both inadequate and inaccurate to reform as you do, with regard to Mr. James W. Powell, to "the records which are presently available", for the public information I took to my knowledge is "presently available" under the law and its requirements. All the rest of what you say here is obviously inaccurate. Mr. Powell did file through channels and the proof is in my possession and is beyond question, is quite definitive definitive and explicit. To say that "nothing has been discovered in Army files"is to say that they were prayed, but with what the Army knows this is still not adequate response under the law, which does impose other responsibilities on the Army. I renew my request for copies of all pictures, reports or any other information. I hope this time it will be responded to fully, accurately and promptly, as the law and regulations require.

Even your concluding sentence, saying that "the provisions of AR 345-20 and the Freedom of Information Act have no application to your request", is in error. 5 U.S.C. 552 does apply and does impose upon you responsibilities you have shunned.

Sincerely,

Harold Weisberg